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NOTE FOR: See Distribution

FROM: David D. Gries *DDG*  
Director of Congressional Affairs

SUBJECT: Guidelines for Contact with Congress



As you are aware, the Office of Congressional Affairs has produced a paper entitled "Guidelines for Contact with Congress." Your office last saw the Guidelines in October when they were sent around for coordination. The Director has officially approved the Guidelines and sent copies to the Senate and House Intelligence Committees. He has asked me to distribute the Guidelines to you. Please note that the Guidelines, though unclassified, are marked Official Use Only.

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FOR OFFICIAL USE ONLYGUIDELINES FOR CONTACTS WITH CONGRESS

As a CIA official in contact with the Congress, you will be called upon to ensure that our obligation is met to present information which is both candid and complete. In meeting this obligation, you are fulfilling our compact with the Congress to provide needed information, while ensuring that the responsibility of the Director of Central Intelligence to protect intelligence sources and methods is met and that Agency guidelines are respected. The Agency by law is obliged to keep the intelligence oversight committees fully and currently informed of all intelligence activities, including any significant anticipated intelligence activities.

Speaking before the Eighth Circuit Judicial Conference in Colorado Springs on 18 July 1987, the Director of Central Intelligence commented on relations with Congress as follows:

In our relationship with the Congress, I believe it is important for us to recognize that it must be one of truth and not of deception. There is so much confusion about deniability and deception coming over the television tubes that I think that it's important to make one legitimate distinction. In covert activity there is often deception to conceal the source of the activity in order to influence through means that we believe to be appropriate but which must necessarily be covert. But in dealing with the Congress there is absolutely no excuse for deception. There will be occasions, I believe--and I told the Congress this in my testimony--when I did not believe that I was in a position to respond to a particular question, particularly if it were one in open session. But I believe it is possible to tell the Members of Congress--and I have done so on occasion--that I am not at liberty to answer the question, that I have an answer but I cannot give it. That is a lot different than trying to answer the question narrowly when I know what the Congress wants to hear from me, and pretending that they have failed to ask the question accurately enough.

The gist of the Agency's approach to Congressional testimony and briefings can be summed up in the four C's: Candor, Correction, Completeness and Consistency. Each of them is important and should be kept in mind when appearing before Congress.

--Candor. Both during and after formal testimony, briefings, or other contacts with Congress, it remains the responsibility of the Agency official to ensure that the information presented to Congress is to the best of our knowledge true and accurate. If there is uncertainty as to the correct facts in a particular case, the official should so state candidly with a pledge to report the full and correct facts as soon as possible.

--Corrections. If the official has supplied incorrect information or omitted needed information, he or she is obligated to correct the record. There are a number of methods available for correcting the record including submission of supplementary information either orally or in writing, or in cases where official testimony has been given, correction of the official transcript or requests to testify again on the same subject.

--Completeness. It is not enough that testimony be accurate; it must also be complete. Agency officials should not respond to a question with the narrowest possible answer. Instead, keeping in mind the protection of sources and methods and other issues identified in these guidelines, Agency officials should be forthcoming in responding to a question and should attempt to answer it with an informative, complete answer. The Agency's collective credibility suffers if the Congress believes that it "will not get the right answer if it does not ask the right question."

**--Consistency.** Established principles or guidelines, not ad hoc arrangements, should govern the Agency's response to Congress. When questions from Members or staff raise potential issues under these established guidelines, the Agency official should identify rather than obscure the points in dispute. The Director expects that all Agency officials will respond to questions from Congress in a manner consistent with the guidelines given below.

A final note on the four C's. They apply to all communications with the Congress. Whether the setting is a formal hearing or an informal briefing with the staff, the four C's should guide your responses. They cover opening statements and written correspondence. And, finally, they apply whether or not the official is placed under oath. They are an important part of maintaining the Agency's primary asset with the Congress--its credibility.

The following set of guidelines has been prepared to assist Agency officials in contacts with the Congress. Like the four C's, the guidelines apply to formal testimony before a specific committee, briefings for individual Members or staff, requests for written responses and more casual contact. This guidance is not intended to anticipate every possible situation that might arise. Officers from the Office of Congressional Affairs, who accompany Agency officials during most contacts with Congress, will provide additional guidance as needed. The terms "intelligence oversight committees" and "oversight committees" used in these guidelines refer to the House and Senate Intelligence Committees and the House and Senate Appropriations Defense Subcommittees.

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